

ORDINANCE NO. _____

**An Ordinance Amending Ordinance 623,
Zoning Districts of the City of O’Fallon,
Illinois [Planned Use Development
known as “Sunrise Center II” Parcel
Number (03-25.0-301-009)**

WHEREAS, the applicant Moonsung Song, is requesting to build a 16,238 square foot mixed use shopping center to be known as Sunrise Center II at the NE corner of Hartman Lane and Central Park Drive and the applicant proposes to rezone the property from B-1 to B-1(P), Planned Community Business District, pursuant to the proposed development shown on the attached Preliminary Site Plan (Exhibit B); and

WHEREAS, the applicant has filed an application with the City of O’Fallon, Illinois pursuant to the requirements of all applicable laws, including City Ordinance 2052, “Planned Uses”; and

WHEREAS, said Planning Commission of the City of O’Fallon, Illinois held a public hearing on April 12, 2005, in accordance with state statute, and recommended to approve the petitioner’s request to obtain B-1(P) District zoning for the property subject to the conditions as outlined in the reports from the Planning Commission, Community Development Committee, and City Council reports, attached hereto and declared to be an inseparable part hereof (Exhibit A);

WHEREAS, on April 25, 2005, the Community Development Committee of the City Council reviewed and recommended the project for approval with certain conditions as outlined in Section 1 of this ordinance; and

WHEREAS, the applicant has agreed to develop the property and buildings in accordance with the attached Preliminary Site Plan, along with the building types and materials included in Exhibit B, and consistent with the recommendations of staff, and all applicable laws, including City Ordinance 2052 regulating Interim Planned Uses, in a manner considerate of adjoining properties, and to protect the general public safety, health, and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF O’FALLON, ST. CLAIR COUNTY, ILLINOIS AS FOLLOWS:

Section 1. Approval of the Zoning Amendment and Preliminary Site Plan. That upon the effective date of this Ordinance, the described property, known as “Sunrise Center II” Planned Use, be henceforth classified as zoning district B-1(P), Planned Community Business, from its present B-1 zoning

designation and that said development be approved as a Planned Development and constructed in accordance with the proposed Preliminary Site Plan and the conditions set forth in Exhibit A. The terms and conditions of the approval are as provided in the attachments and include the following conditions:

- 1) a restriction on hours of operation for the restaurant and other business proposed in the development at 11:00 pm;
- 2) additional landscaping proposed on the Hartman Lane side of the development to screen headlights from creating a nuisance to the two homes on the west side of Hartman Lane;
- 3) no sports bar, arcade, gamery, or other use otherwise identified as a planned use would be approved with this planned use – the project approval is strictly for a restaurant, which may include sale and consumption of alcohol, as long as all local and state liquor laws are met;
- 4) the cross access to the property to the north (Holland’s strip center) would be 30’ and as perpendicular to the property as possible; and
- 5) correct building elevations would be provided that matched the site plan – the building materials, colors, and general design would match the existing Sunrise Center on the opposite corner of Hartman and Central Park.

Section 2. Filing. A Certified Copy of this ordinance, with all referenced attachments, shall be filed with the City Clerk’s office of the City of O’Fallon, Illinois.

Section 3. Passage. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Passed by the City Council this _____ day of _____.

ATTEST:
(seal)

Approved by the Mayor this _____ day
of _____.

Philip A. Goodwin, City Clerk

Gary L. Graham, Mayor

ROLL CALL:	Albrecht	Bennett	Bequette	Drolet	Grogan	\Schmidt	Medford	SUB TOTALS
Aye								
Nay								
Absent								

ROLL CALL:	Boone	Mouser	Reckamp	Henry	Renner	True	West	SUB TOTALS	SUM OF TOTALS
Aye									
Nay									
Absent									